

### III. Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Claim 1-8 and 10-42 are pending in this application. Claims 1, 11, 22 and 32 are independent.

Applicants have added new dependent Claim 42 to replace cancelled Claim 9. The new claim is fully supported in the specification and Drawings (see, e.g., Fig. 3), and is believed to be allowable for the reasons to be developed below.

The amendment to Claim 1 will moot the rejection of Claim 10 under 35 USC § 112, second paragraph

Claims 1-8 and 10-41 were rejected as being unpatentable over Kaas, Kurtz, Horstmann, and Ebel, for the reasons discussed on pages 3-9 of the Office Action. Applicants respectfully traverse all art rejections.

Each of independent Claims 1, 11, 22, and 32 recites a novel combination of structure and/or function whereby a water treatment ultraviolet radiation sensor device includes a solid radiation collector. The radiation collector has a longitudinal axis disposed substantially parallel to longitudinal axes of the one or more submerged ultraviolet radiation sources. The solid radiation detector has an end (or distal) portion disposed on the collector longitudinal axis. The radiation collector end (or distal) portion is configured to (i) receive ultraviolet

radiation from the one or more submerged ultraviolet radiation sources disposed in the predefined arc around the collector end (or distal) portion, and (ii) redirect the received radiation along a predefined pathway substantially parallel to the solid radiation collector longitudinal axis. See, for example, the embodiments depicted in Fig. 3.

Kaas disclose flexible light guides, but fails to disclose or suggest any end or distal portion which redirects radiation along a collector longitudinal axis.

Kurtz discloses an ultraviolet sensor for fluid purification, but fails to disclose or suggest a solid radiation collector having a longitudinal axis substantially parallel to the longitudinal axis of one or more radiation sources, and having an end or distal portion which redirects radiation along the collector longitudinal axis.

Ebel discloses a radiation collector in the integrating sphere 27, but fails to disclose or suggest a solid collector having a longitudinal axis substantially parallel to the longitudinal axis of one or more radiation sources, and having an end or distal portion which redirects radiation along the collector longitudinal axis.

Horstmann discloses a circular measuring element 5 which detects UV radiation, but fails to disclose or suggest a solid collector having a longitudinal axis substantially

parallel to the longitudinal axis of one or more radiation sources, and having an end or distal portion which redirects radiation along the collector longitudinal axis.

Accordingly, Applicants respectfully submit that the salient claimed features of the present invention are nowhere disclosed or suggested by the cited art, whether taken individually or in combination.

Applicants also respectfully submit that the Office Action provides no convincing motivation or suggestion (absent hindsight reconstruction) which would lead the person of ordinary skill in the water treatment field at the time of the invention to combine the cited art in the manners proposed. The suggestions-to-combine set forth in the Office Action are woefully short of the legal standard required to make out a *prima facie* case of obviousness. In addition to the arguments submitted with the June 29, 2005 Amendment, Applicants wish to direct the Examiner's attention to *In re Kotzab*, 217 F. 3d 1365, 1371 (Fed. Cir. 2000). This case makes clear that the Examiner must make "findings as to the specific understanding or principle within the knowledge of a skilled artisan that would have motivated one with no knowledge of [the] invention to make the combination in the manner claimed." . In the present case, the general "improvement" suggestions set forth in the Office Action are not "findings as to the **specific** understanding or

principle within the knowledge of a skilled artisan that would have motivated one with no knowledge of [the] invention to make the combination in the manner claimed."

In view of the above, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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